

Sector #3



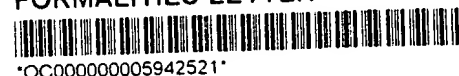
## UNITED STATES PATENT AND TRADEMARK OFFICE

 COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20231  
 www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/758,007	01/10/2001	Leonard I. Zon	701039-050920

CONFIRMATION NO. 8096

## FORMALITIES LETTER



\*OC000000005942521\*

 NIXON PEABODY LLP  
 101 Federal Street  
 Boston, MA 02110

Date Mailed: 04/06/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

## Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$630.
  - \$360 for 20 total claims over 20.
  - \$270 for multiple dependent claim surcharge.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1470.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

06/13/2001 KZWDIE 00000059 09758007

01 FC:201	355.00 OP
02 FC:203	180.00 OP
03 FC:204	135.00 OP
04 FC:205	65.00 OP

A copy of this notice **MUST** be returned with the reply.

*Zm*

---

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Docket No. 701039-050920

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Leonard I. ZON, James AMATRUDA, Jennifer SHEPARD  
Application No.: 09/758,007 Group No.: Not yet assigned  
Filed: 01/10/2001 Examiner: Not yet assigned  
For: METHOD FOR IDENTIFYING GENES INVOLVED IN CELL  
PROLIFERATION

CERTIFICATE OF MAILING (37 C.F.R. SECTION 1.8(a))

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to Box Missing Parts, Assistant Commissioner for Patents, Washington, D.C. 20231.

June 6, 2001

Nicole M. Gignac

(type or print name of person mailing paper)

Nicole M. Gignac  
Signature of person mailing paper

Box Missing Parts  
Assistant Commissioner for Patents  
Washington, D. C. 20231

TRANSMITTAL OF FORMAL DRAWING(S)  
PRIOR TO NOTICE OF ALLOWANCE

Attached please find formal drawings, Figures 1, 2A-2D, 3A-3B, 4A-4F, 5A-5F, 6A-6E, 7A-7L, 8A-8C, 9, 10, 11, 12, 13A-13C, 14, 15, 16A-16B, 17A-17C, 18A-18C, 19A-19E, 20A-20F and 21A-21F, for this application.

Date: June 6, 2001

Customer No.: 26248

Respectfully submitted,

David S. Resnick (Reg. No. 34,235)  
NIXON PEABODY LLP  
101 Federal Street  
Boston, MA 02110  
(617) 345-6057



Docket No. 701039-050920

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Leonard I. ZON, James AMATRUDA, Jennifer SHEPARD  
Application No.: 09/758,007 Group No.: Not yet assigned  
Filed: 01/10/2001 Examiner: Not yet assigned  
For: METHOD FOR IDENTIFYING GENES INVOLVED IN CELL  
PROLIFERATION

**CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. § 1.8(a) and 1.10)**

I hereby certify that this correspondence:

1. Completion of Filing Requirements – Nonprovisional Application (5 pgs);
2. Copy of Notice to File Missing Parts of Nonprovisional Application (2 pgs);
3. Declaration and Power of Attorney – Executed by L. Zon, J. Amatruda and J. Shepard (4 pgs);
4. Transmittal of Formal Drawings (1 pg);
5. Formal Drawings (29 sheets);
6. Check in the Amount of \$735.00 – filing & surcharge fee;
7. Form 1595 – Recordation Form Cover Sheet (1 pg);
8. Assignment – Executed by L. Zon, J. Amatruda and J. Shepard (3 pgs);
9. Check in the Amount of \$40.00 – assignment fee;
10. Return Receipt Postcard;

is on the date shown below being:

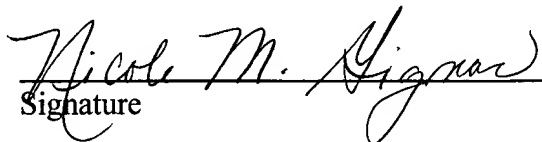
**MAILING**

**X** deposited with the United States Postal Service and with sufficient postage as first class mail in an envelope addressed to Box Missing Parts the Assistant Commissioner for Patents, Washington, D.C. 20231.

**FACSIMILE**

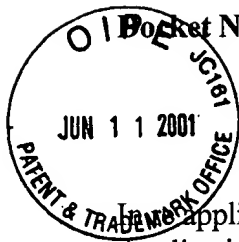
transmitted by facsimile to the Patent Trademark Office.

Date: June 6, 2001

  
Signature

Nicole M. Gignac  
(type or print name of person certifying)

#3



Office No. 701039-050920

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In application of: Leonard I. ZON, James AMATRUDA, Jennifer SHEPARD  
Application No.: 09/758,007 Group No.: Not yet assigned  
Filed: 01/10/2001 Examiner: Not yet assigned  
For: METHOD FOR IDENTIFYING GENES INVOLVED IN CELL  
PROLIFERATION

**CERTIFICATE OF MAILING (37 C.F.R. SECTION 1.8(a))**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to Box Missing Parts, Assistant Commissioner for Patents, Washington, D.C. 20231.

June 6, 2001

Nicole M. Gignac

(type or print name of person mailing paper)

*Nicole M. Gignac*  
Signature of person mailing paper

**Box Missing Part**  
**Assistant Commissioner for Patents**  
**Washington, D.C. 20231**

**COMPLETION OF FILING REQUIREMENTS**  
**-- NONPROVISIONAL APPLICATION**

*(check and complete this item, if applicable)*

- I. ☒ This replies to the Notice to File Missing Parts of Application (PTO-1533) mailed 04/06/2001.
- ☒ A copy of the Notice to File Missing Parts of Application--Filing Date Granted (Form PTO-1533) is enclosed.

**DECLARATION OR OATH**

- II. ☒ No declaration or oath was filed. Enclosed is the original declaration or oath for this application.

**OR**

- ☐ The declaration or oath that was filed was determined to be defective. A new original oath or declaration is attached.

*(complete (c) or (d), if applicable)*

In re application of: Leonard I. ZON, James AMATRUDA, Jennifer SHEPARD, Matthew FREEDMAN  
Application No.: 09/758,007 Group No.: Not yet assigned  
Filed: 01/10/2001 Examiner: Not yet assigned  
For: METHOD FOR IDENTIFYING GENES INVOLVED IN CELL PROLIFERATION

Attached is a

- (c) ☐ Statement by a registered attorney that the application filed in the PTO is the application that the inventor executed by signing the declaration.
- (d) ☐ Statement that the "attached" specification is a copy of the specification and any amendments thereto that were filed in the PTO to obtain the filing date.

#### AMENDMENT CANCELLING CLAIMS

III. ☐ Cancel claims \_\_\_\_\_ inclusive.

#### TRANSMITTAL OF ENGLISH TRANSLATION OF NON-ENGLISH LANGUAGE PAPERS

- IV. ☐ Submitted herewith is an English translation of the non-English language application papers as originally filed. Also submitted herewith is a statement by the translator of the accuracy of the translation. It is requested that this translation be used as the copy for examination purposes in the PTO.

#### SMALL ENTITY STATUS

- V. Applicant asserts Small Entity status pursuant to (37 C.F.R. 172).

#### COMPLETION FEES

#### VI.

##### 1. Filing fee

☒ original patent application  
(37 C.F.R. Section 1.16(a)--\$710.00: small entity--\$355) \$ 355.00

☐ design application  
(37 C.F.R. Section 1.16(f)--\$320; small entity--\$160)\$ \_\_\_\_\_

In re application of: Leonard I. ZON, James AMATRUDA, Jennifer SHEPARD, Matthew FREEDMAN  
Application No.: 09/758,007 Group No.: Not yet assigned  
Filed: 01/10/2001 Examiner: Not yet assigned  
For: METHOD FOR IDENTIFYING GENES INVOLVED IN CELL PROLIFERATION

2. Fees for claims

☐ each independent claim in excess of 3  
(37 C.F.R. Section 1.16(b)--\$80; small entity--\$40) \$ \_\_\_\_\_

☒ each claim in excess of 20  
(37 C.F.R. Section 1.16(c)--\$18; small entity--\$9) \$ 180.00

☒ multiple dependent claim(s)  
(37 C.F.R. Section 1.16(d)--\$270; small entity--\$135) \$ 135.00

3. Surcharge fees

☒ late payment of filing fee and/or late filing of original declaration or oath  
(37 C.F.R. Section 1.16(e)--\$130; small entity--\$65) \$ 65.00

4. ☐ Petition and fee for filing by other than  
all the inventors or a person not the inventor  
(37 C.F.R. Sections 1.17(i) and 1.47--\$130) \$ \_\_\_\_\_

5. ☐ Fee for processing an application filed with  
a specification in a non-English language  
(37 C.F.R. Sections 1.17(k) and 1.52(d)--\$130) \$ \_\_\_\_\_

6. ☐ Fee for processing and retention of application  
(37 C.F.R. Sections 1.21(l) and 1.53(d)--\$130) \$ \_\_\_\_\_

7. ☒ Assignment (See "ASSIGNMENT COVER SHEET") \$ 40.00

Total completion fees \$ 775.00

**EXTENSION OF TIME**

**VII.**

*(complete (a) or (b), as applicable)*

The proceedings herein are for a patent application, and the provisions of 37 C.F.R. Section 1.136(a) apply.

(a) ☐ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. Section 1.17(a)(1)-(4), for the total number of months checked below:

In re application of: Leonard I. ZON, James AMATRUDA, Jennifer SHEPARD, Matthew FREEDMAN  
Application No.: 09/758,007 Group No.: Not yet assigned  
Filed: 01/10/2001 Examiner: Not yet assigned  
For: METHOD FOR IDENTIFYING GENES INVOLVED IN CELL PROLIFERATION

Extension (months)	Fee for other than small entity	Fee for small entity
<input type="checkbox"/> one month	\$110	\$55
<input type="checkbox"/> two months	\$390	\$195
<input type="checkbox"/> three months	\$890	\$445
<input type="checkbox"/> four months	\$1,390	\$695

Fee \$ \_\_\_\_\_

If an additional extension of time is required, please consider this a petition therefor.

*(check and complete the next item, if applicable)*

☐ An extension for \_\_\_\_\_ months has already been secured, and the fee paid therefor of \$ \_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ \_\_\_\_\_

OR

(b) ☒ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

#### TOTAL FEE DUE

#### VIII.

The total fee due is

Completion fee(s) \$ 775.00  
Extension fee (if any) \$ \_\_\_\_\_

Total Fee Due \$ 775.00

#### PAYMENT OF FEES

#### IX.

☒ Enclosed is a check in the amount of \$ 735.00 – filing and surcharge fee.

☒ Enclosed is a check in the amount of \$ 40.00 – filing and surcharge fee.

☐ Charge Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_.

A duplicate of this request is attached.

☒ Please charge Account No. 50-0850 for any fees which may be due by this paper.



In re application of: Leonard I. ZON, James AMATRUDA, Jennifer SHEPARD, Matthew FREEDMAN  
Application No.: 09/758,007 Group No.: Not yet assigned  
Filed: 01/10/2001 Examiner: Not yet assigned  
For: METHOD FOR IDENTIFYING GENES INVOLVED IN CELL PROLIFERATION

**AUTHORIZATION TO CHARGE ADDITIONAL FEES**

**X.**

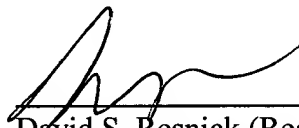
☒ The Commissioner is hereby authorized to charge the following additional fees that may be required by this paper and during the pendency of this application to Account No. 50-0850.

- ☒ 37 C.F.R. Section 1.16(a), (f) or (g) (filing fees)
- ☒ 37 C.F.R. Section 1.16(b), (c) and (d) (presentation of extra claims)
- ☒ 37 C.F.R. Section 1.16(e) (surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application)
- ☐ 37 C.F.R. Section 1.17(a)(1)-(5)(extension fees pursuant to Section 1.136(a).
- ☐ 37 C.F.R. Section 1.17 (application processing fees)
- ☐ 37 C.F.R. Section 1.18 (issue fee at or before mailing of Notice of Allowance, pursuant to 37 C.F.R. Section 1.311(b))

Date: June 6, 2001

Customer No.: 26248

Respectfully submitted,



David S. Resnick (Reg. No. 34,235)  
NIXON PEABODY LLP  
101 Federal Street  
Boston, MA 02110  
(617) 345-6057